



UNITED STATES PATENT AND TRADEMARK OFFICE

16u

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,458	06/27/2003	Mitchell Hunt	860-017-6	9387

7590 06/01/2004

James R. Frederick
Ware, Fressola, Van Der Sluys & Adolphson LLP
Bradford Green, Building Five
755 Main Street
Monroe, CT 06468

EXAMINER

LARKIN, DANIEL SEAN

ART UNIT	PAPER NUMBER
----------	--------------

2856

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/608,458

Applicant(s)

HUNT, MITCHELL

Examiner

Daniel S. Larkin

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1-20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 27 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to because of the following:

The drawings have a Line quality that is too Eight to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1 .84(l) and (p)(1)), See Figures 1, 2 & 3.

Reference numerals "40" and "44", as shown in Figure 2, need to be interchanged since the sealing plate closest to the inner end plate (60), as shown in Figures 1 and 4 is designated as reference numeral 40 rather than reference numeral 44, as shown in Figure 2. The sealing plate closest to the outer end plate 70, as shown in Figures 1 and 4 is designated as reference numeral 44; however, Figure 2 shows this sealing plate as reference numeral 40.

Reference numeral "44", as shown in Figure 4 appears to be pointing to the web portion proximal to the seal 34 rather than the second seal plate which is distal to the seal 34, as shown in Figure 1.

2. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities:

Page 5, line 3: The term "Polypropylene" should be corrected to read -- polypropylene --.

Page 7, line 9: The term "of" should be deleted.

Page 10, line 13: The term "Polypropylene" should be corrected to read -- polypropylene --. Appropriate correction is required.

Claim Objections

4. Claims 1-20 are objected to because of the following informalities:

Re claim 1, claim line 5: The phrase "the first and second spaced apart annular seals" lacks antecedent basis.

Re claim 2, claim line 2: The term "plate" should be corrected to read -- plates --.

Re claim 4, claim line 3: The article "a" should be corrected to read -- the --, since the water supply line has been previously recited, see claim 1.

Re claim 11, claim line 1: The phrase "the web portion" lacks antecedent basis.

Re claim 11, claim line 2: The phrase "the outer end plate" lacks antecedent basis.

Re claim 11, claim line 3: The phrase "the sealing means" lacks antecedent basis.

Re claim 12, claim line 2: The second occurrence of the article "a" should be corrected to read -- the -- since the "first seal plate" has been previously recited, see claim 2.

Re claim 13, claim line 3: The article "a" should be corrected to read -- the --, since the water supply line has been previously recited, see claim 1.

Re claim 15, claim line 8: The term -- first -- should be inserted prior to the term "cylindrical".

Re claim 15, claim line 11: The conjunction -- and -- should be inserted after the term "line".

Re claim 15, claim 12: The term -- cylindrical -- should be inserted after the term "second".

Re claim 16, claim line 1: The phrase "the fastener" lacks antecedent basis.

Re claim 17, claim line 5: The article "a" should be corrected to read -- the --. Appropriate correction is required.

Allowable Subject Matter

5. The following is a statement of reasons for the indication of allowable subject matter:

Prior art was not relied upon to reject claims 1-20 because the prior art fails to teach and/or make obvious the following:

Claims 1-14: Providing a pipe test plug comprising securing means for extending through at least one portion of a water supply line and into a plug body inserted therein

for securing the pipe test plug in the water supply line in combination with all of the remaining limitations of the claim.

Claims 15 and 16: Providing a pipe test plug comprising a fastener for extending through at least one portion of a water supply line and into a plug body inserted therein for securing the pipe test plug in the water supply line in combination with all of the remaining limitations of the claim.

Claims 17-20: Providing a method of pressure testing a water supply line comprising inserting a pipe test plug into the distal end of a water supply line; and d securing the plug in the water line by inserting a fastener for extending through an opening in the water supply line and into the pie test plug in combination with all of the remaining limitations of the claim.

The prior art teaches various means for securing a plug within a pipe; however, none of the prior art teaches placing means through the line and into the plug to hold the plug within the line.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art to US 3,583,239 (Paine et al.) discloses a tube sealing device comprising a test plug having a plug body (10) sized and shaped for insertion into an open end of a fluid line (12); first and second spaced apart annular seals (24) supported

Art Unit: 2856

on the plug; and first and second cylindrical plates (16, 18) each defining a groove (20) for receiving and supporting the first and second annular seals (24).

The prior art to US 5,074,336 (Black) discloses a pipe clip (10) for maintaining an end plug (26) insertably coupled to a pipe outlet (36), whereby the reference also discloses that a rod (42) may be inserted through holes located in the pipe (34) to contact the open frame pipe clip half ring (12) to physically prevent axial shifting of the pipe clip (10) once installed about the pipe (34) at its outlet end (36) with end plug (26) in place.


The prior art to US 5,555,998 (Coppola) discloses a gate valve lid for covering an access tube of a service box assembly, whereby the reference discloses the insertion of a cross pin through a cap (56) covering a lower extension (60) and through holes (70) located in the lower extension (60) for securing the cap (56) to the open end of the lower extension for connection to a lower section (42) of the service box assembly (36).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Larkin whose telephone number is 571-272-2198. The examiner can normally be reached on 8:00 AM - 5:00 PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on 571-272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Larkin
AU 2856
25 May 2004



DANIEL S. LARKIN
PRIMARY EXAMINER